

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

LUIS OMAR ALVAREZ,)	
)	
Plaintiff,)	
)	
v.)	CV421-087
)	
BECHTEL CORPORATION,)	
RICHMOND COUNTY)	
CONSTRUCTION,)	
SOUTHERN NUCLEAR)	
OPERATING COMPANY, and)	
WILLIAMS PLANT SERVICES,)	
)	
Defendants.)	

ORDER

Before the Court are plaintiff's proposed discovery and scheduling plan and his motion to strike the proposal from the docket. Doc. 31; doc. 33. The Court construes the motion to strike as a motion to voluntarily withdraw the proposed discovery and scheduling plan. *See Retic v. United States*, 215 Fed. App'x 962, 964 (11th Cir. 2007) ("Federal courts sometimes will ignore the legal label that a *pro se* litigant attaches to a motion and recharacterize the motion in order to place it within a different legal category." (quoting *Castro v. United States*, 540 U.S. 375, 381 (2003))). The discovery plan appears to have been filed in error, as it

was not signed by all parties and was filed shortly after the Court stayed discovery, obviating its need. Doc. 30; doc. 31. As the proposal is unilateral and moot, the motion to withdraw is **GRANTED**. Doc. 33.

SO ORDERED, this 15th day of June, 2021.



CHRISTOPHER L. RAY
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA